

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

IN RE: TREVIAN C KUTTI) Chapter 07
)
)
)
)
- Creditor) No. 09B26065
Chase Home Finance LLC)
)
v.) Judge
) Jacqueline P. Cox
TREVIAN C KUTTI	- Debtor
)
)

AMENDED NOTICE OF MOTION

TO: SEE ATTACHED ADDRESSES

PLEASE TAKE NOTICE THAT ON September 23, 2009 at 9:30 am, or as soon thereafter as counsel may be heard, I shall appear before the Honorable Jacqueline P. Cox, U.S. Bankruptcy Judge, 219 S. Dearborn Street, Chicago, Illinois, room 619, and shall then and there present the attached Motion and at which time you may appear if you so desire.

CERTIFICATION

I, the undersigned Attorney, Certify that I served a copy of this Notice to the Addresses attached by electronic notice through ECF or by depositing the same at the U.S. Mail at 1 North Dearborn, Chicago, Illinois 60602 at 5:00 P.M. on September 3, 2009, with proper postage prepaid.

**THIS DOCUMENT IS AN ATTEMPT
TO COLLECT A DEBT AND ANY
INFORMATION OBTAINED WILL BE
USED FOR THAT PURPOSE**

PIERCE & ASSOCIATES, P.C.

/s/Yanick Polycarpe
ARDC#6237892

1 North Dearborn
Suite 1300
Chicago, Illinois 60602
312-346-9088

PA09-4471

NOTICE OF MOTION ADDRESSES

To Trustee:
Gus A. Paloian
Seyfarth, Shaw et al
131 South Dearborn Street, Suite 2400
Chicago, IL 60606
By Electronic Notice through ECF

To Debtor:
TREVIAN C KUTTI
1221 North Dearborn Street Unit 1409S
Chicago, IL 60610
By U.S. Mail

To Attorney:
Veronica D. Joyner
120 South State Street
Suite 200
Chicago, Il 60603
By Electronic Notice through ECF

PIERCE & ASSOCIATES, P.C.
Suite 1300
1 North Dearborn
Chicago, Illinois 60602
(312) 346-9088

PA09-4471

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RE: TREVIAN C KUTTI,)	
)	
Chase Home Finance LLC,)	
Creditor,)	
vs.)	CASE NO. 09B26065
)	JUDGE Jacqueline P. Cox
TREVIAN C KUTTI,)	
Debtor,)	
)	

MOTION TO MODIFY THE AUTOMATIC STAY

NOW COMES Chase Home Finance LLC, by and through its attorneys, Pierce & Associates, P.C., and requests that the Automatic Stay heretofore entered on the property located at 1221 North Dearborn Street Unit 1409S, Chicago, IL, be modified, stating as follows:

1. On July 18, 2009, the above captioned Chapter 7 was filed.
2. Chase Home Finance LLC services the first mortgage lien on the property located at 1221 North Dearborn Street Unit 1409S, Chicago, IL.
3. The debt is based on a June 27, 2007, Mortgage and Note in the original sum of \$398,000.00.
4. The funds necessary to pay off Chase Home Finance LLC on the above captioned account were approximately \$446,474.01, plus reasonable attorney's fees and costs, through August 2009. The debtor's schedules list the fair market value of said property at \$213,000.00. According to the debtor's schedules, there are other liens on the property totaling \$49,895.00.

5. The account is currently due and owing to Chase Home Finance LLC for the April 2008 current mortgage payment and those thereafter, plus reasonable attorney's fees and costs.
6. The debtor has no equity in the property located at 1221 North Dearborn Street Unit 1409S, Chicago, IL, for the benefit of unsecured creditors.
7. Chase Home Finance LLC continues to be injured each day it remains bound by the Automatic Stay.
8. Chase Home Finance LLC is not adequately protected.
9. The property located at 1221 North Dearborn Street Unit 1409S, Chicago, IL is not necessary for the debtor's reorganization.
10. No cause exists to delay the enforcement and implementation of relief and Bankruptcy Rule 4001(a)(3) should be waived.

WHEREFORE, YOUR MOVANT PRAYS that the Automatic Stay be modified and that Bankruptcy Rule 4001(a)(3) be waived as not applicable, plus such other relief as this Court deems just.

Chase Home Finance LLC

/s/Christopher M. Brown
Christopher M. Brown
ARDC#6271138
Pierce and Associates, P.C.
1 North Dearborn St.
Suite 1300
Chicago, Illinois 60602
(312)346-9088